

REMARKS

Claims 1, 2, 4, 6, 9, 10, 12, 15, and 16 are now pending in the present application, Claims 1, 2, 4, 9, and 15 having been amended, Claims 7, 8, 11, 13, 14, 18-20, 22, and 28-42 having been canceled without prejudice. Applicant reserves the right to pursue the canceled claims or the scope of the previously unamended claims at a later date. In response to the Office Action mailed October 29, 2007, Applicants respectfully request the Examiner to reconsider the above-captioned application in view of the foregoing amendments and the following comments.

Acknowledgement of Allowable Subject Matter

Applicants note with appreciation the allowance of Claim 6.

Rejections

The Examiner rejected Claims 1, 2, 4, and 7-15 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,908,428 to Scirica, et al. Applicants do not agree with the rejection. However, Applicants have canceled without prejudice Claims 7, 8, 11, 13, and 14 solely to expedite issuance of Claim 6, which has been indicated as allowed by the Examiner. Applicants reserve the right to pursue Claims 7, 8, 11, 13, and 14 in the future.

As noted above, the Examiner has indicated that Claim 6 is allowed. Claims 1, 2, 4, 9, 10, 12, and 15 each depend, directly or indirectly, from Claim 6. Thus, Applicants respectfully submit that Claims 1, 2, 4, 9, 10, 12, and 15 are also allowable, not only because they depend from Claim 6, but also on their own merit.

Claim 16

In the Office Action dated July 26, 2002, Claim 16 was indicated as allowed. In the Office Action mailed October 29, 2007, the Office Action Summary indicated rejection of Claim 16. However, the Detailed Action provided no rationale for rejection of Claim 16 over the newly applied art. Therefore, Applicants respectfully submit that Claim 16 should be allowed.

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No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, the Applicants are not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. The Applicants reserve the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that the Applicants have made any disclaimers or disavowals of any subject matter supported by the present application.

CONCLUSION


The undersigned has made a good faith effort to respond to all of the rejections in the case, and to place the claims and conditions for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicant's attorney in order to resolve such issue promptly.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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